

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS  
(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO,  
et al.,

Debtors.<sup>1</sup>

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

Case No. 17-04780 (LTS)

PUERTO RICO ELECTRIC POWER  
AUTHORITY,

Debtor.<sup>2</sup>

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ASSURED GUARANTY CORP, et al.,

Plaintiffs,

-v-

Adv. Proc. No. 17-125-LTS  
in Case No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,  
et al.,

Defendants.

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ORDER REGARDING SEPTEMBER 27, 2017 ORAL ARGUMENT AND OCTOBER OMNIBUS HEARING

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The last four (4) digits of PREPA's federal tax identification number are 3747.

On September 20, 2017, Puerto Rico was hit directly by Hurricane María, a Category 4 storm and the most powerful hurricane to strike Puerto Rico in nearly a century. María's landfall came only two weeks after Hurricane Irma, and devastated Puerto Rico. Millions of American citizens whose U.S. home is Puerto Rico are without light, water, food, fuel and even basic sewer services. Hospitals are struggling without fuel and supplies; considerable areas of the island are isolated due to inaccessibility and one area is threatened by the imminent collapse of a decades-old dam that was heavily weakened by María and could possibly trigger a life-threatening flood. These Americans, who were in the process of restructuring billions in debt through these PROMESA Title III proceedings in the hope of emerging from an economic crisis of unprecedented proportions, now face an even graver humanitarian crisis, one also that threatens their already challenging path back to economic stability.

The Government of Puerto Rico and the Financial Oversight and Management Board have requested that the Court postpone hearings that were previously scheduled to take place this week and next week. In light of the immediate crises and need for attention to the safety and stability of day to day life for the people of Puerto Rico, the Court grants their requests. The Court hopes that Puerto Rico will benefit in the coming days from the delivery of substantial portions of the massive federal aid that is needed immediately, in supplies, expertise and services, to ensure the safety of American citizens living in Puerto Rico and their retention of the foothold they have established on the path to economic recovery.

Accordingly, it is ORDERED, that:

1. The Omnibus hearing, currently scheduled for October 4, 2017, is adjourned to a date to be determined by the Court after consideration of further input by parties in interest. Any further requests or comments concerning the timing of that hearing and submissions in connection therewith must be filed by **12:00 p.m.** (prevailing Atlantic Standard Time) on **Thursday, September 28, 2017.**
2. The oral argument on the *Motion to Dismiss Plaintiffs' Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and (b)(6)* (Case No. 17-AP-125, Docket Entry No. 27) is rescheduled to **October 4, 2017 at 10:00 a.m.** (prevailing Atlantic Standard Time). It will take place at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 17C, New York, NY 10007. An overflow courtroom with video feed, and video feed to the press room, will be provided.

The Movants (collectively) and the Respondents (collectively) will be allocated **40 minutes each** for their respective arguments. **Counsel who intend to present argument at the Hearing must file an Informative Motion** stating their name, the party for which they intend to appear, **no later than Friday, September 29, 2017, at 12:00 p.m.** (prevailing Atlantic Standard Time).

Attorneys who have entered an appearance in the Title III proceedings may register to listen-in on the proceedings by telephone. Such attorneys must register with CourtSolutions at [www.court-solutions.com](http://www.court-solutions.com) **no later than Tuesday, October 3, 2017 at 3:00 p.m.** (prevailing Atlantic Standard Time) and pay the fee established by CourtSolutions. No recording or retransmission of the Hearing is permitted by any person, including, but not limited to, the parties or the press. Failure to comply may result in sanctions, including suspension of press privileges for members of the press in either court.

In light of the extraordinary conditions in San Juan and until further notice, these adjourned hearings will take place in New York; every effort will be made to facilitate viewing from the San Juan courthouse. More information will be provided as it becomes available.

SO ORDERED.

Dated: September 26, 2017

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge